

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,)	
)	
and)	
)	Civil Action No. 5:17-cv-05684
COMMONWEALTH OF PENNSYLVANIA,)	
DEPARTMENT OF ENVIRONMENTAL)	Judge Jeffrey L. Schmehl
PROTECTION)	
)	
v.)	
)	
CITY OF LANCASTER, PENNSYLVANIA)	
_____)	

PLAINTIFF UNITED STATES OF AMERICA’S
UNOPPOSED MOTION TO ENTER PROPOSED CONSENT DECREE

On December 20, 2017, Plaintiff United States of America, on behalf of the Environmental Protection Agency (“EPA”), lodged a proposed Consent Decree with this Court. Docket No. 2-1. The Consent Decree resolves claims of the United States and the Commonwealth of Pennsylvania, Department of Environmental Protection (“PADEP”), against defendant City of Lancaster, Pennsylvania (“Lancaster”), for violations of the Clean Water Act, 33 U.S.C. §§ 1251 *et seq.*, alleged in the Complaint filed with this Court on December 19, 2017. Docket No. 1.

Pursuant to Department of Justice policy at 28 C.F.R. § 50.7, notice of the proposed Consent Decree was published in the Federal Register on December 27, 2017, and the public was provided thirty (30) days in which to comment on the proposed Consent Decree. 82 *Fed. Reg.* 61328. The time period for public comment has expired and the Department of Justice has not received any comments on the proposed Consent Decree.

Pursuant to Paragraph 136 of the proposed Consent Decree, Lancaster has consented to entry of the Consent Decree. For the reasons described in the attached Memorandum of Law in Support of this Unopposed Motion to Enter Proposed Consent Decree, the United States respectfully requests that this Court enter the Decree as an order of the Court. There is a space for the signature of the Court on page 67 of the proposed Decree. The United States is authorized to represent to the Court that PADEP concurs in this motion. A memorandum in support of this motion and a proposed Order are attached hereto.

Dated: February 15, 2018

Respectfully submitted,

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/s/ Donna D. Duer
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